

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

D & N Farms, LLC,
D & R Minerals, LLC,
James Harold Miller and Zeida Frances Miller, and
HZM Land and Minerals, LLC, on behalf of
themselves and all others similarly situated,

Plaintiff,

v.

Crawley Petroleum Corporation,

Defendant.

Case No. CIV-23-234-RAW-DES

ORDER

Before the court are the motion for partial judgment on the pleadings filed by Defendant Crawley Petroleum Corporation [Docket No. 33], and the Report and Recommendation (“R&R”) by United States Magistrate Judge Snow recommending that the motion be denied [Docket No. 50]. Defendant argues that (1) Plaintiffs’ claim for permanent injunctive relief fails because Plaintiffs have not alleged and cannot allege that they will suffer irreparable harm because any alleged harm is compensable with monetary damages; and (2) Plaintiffs’ claim for declaratory relief fails because it is subsumed within the breach of contract claim.

The R&R concludes that Plaintiffs' First Amended Complaint provides sufficient factual allegations, that taken as true, could support a claim that Defendant's failure to perform an enhancement analysis makes it difficult to calculate damages with a reasonable degree of certainty. The R&R further concludes that Plaintiffs' claim for declaratory relief as alleged in the First Amended Complaint is distinct from their breach of contract claim and seeks a legal

determination of the Defendant's obligation to perform an enhancement analysis under Oklahoma law, rather than damages for past actions.

The Defendant argues that the R&R is erroneous on the first conclusion and "just flat wrong" on the second. The court disagrees. As stated in the R&R and in Plaintiffs' amended opposition to the Defendant's objection to the R&R, when the allegations are viewed in the light most favorable to Plaintiffs with reasonable inferences drawn in their favor, the First Amended Complaint plausibly alleges claims for permanent injunctive relief and declaratory relief.

After a *de novo* review, this court finds that the R&R is well-supported. The R&R [Docket No. 50] is hereby affirmed and adopted as this court's Findings and Order. The motion for partial judgment on the pleadings [Docket No. 33] is denied.

IT IS SO ORDERED this 10th day of March, 2025.



**THE HONORABLE RONALD A. WHITE
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF OKLAHOMA**